

# DAILY DIGEST

Vol. 17, No. 50

March 16,1998

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## NEWS RELEASES

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\*\*REPORT NO. MM 98-4 -- MASS MEDIA ACTION -- FCC CHANGES EMPLOYMENT DATA REPORTING DATE TO SEPTEMBER 30 TO SIMPLIFY DATA COLLECTION FOR BOTH FCC AND EEOC REPORTS. The FCC, as part of its regulatory streamlining initiative, today changed the filing date to September 30 for broadcasters, cable television operators and multichannel video programming distributors to submit annual employment reports with the FCC in order to match the filing date for similar reports filed with the Equal Employment Opportunity Commission. Action by the Commission March 13, 1998, by Memorandum Opinion and Order (FCC 98-39). News Media Contact: David Fiske (202) 418-0500. MMB Contact: Kathy Harvey at (202) 418-1450. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/News\\_Releases/1998/nrmm8008.txt](https://www.fcc.gov/Bureaus/Mass_Media/News_Releases/1998/nrmm8008.txt)

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## PUBLIC NOTICES

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Released: March 16, 1998. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - MARCH 13. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt031698.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt031698.pdf)

Report No: 44198. Released: March 16, 1998. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac980316.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac980316.txt)

Report No: 24198. Released: March 16, 1998. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap980316.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap980316.txt)

Report No: 24198A. Released: March 16, 1998. NEW AND MAJOR ITFS APPLICATIONS ACCEPTED FOR FILING. Contact: Henry A. Allen at (202) 418-1610. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/ITFS\\_Notices/pnmm8038.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/ITFS_Notices/pnmm8038.txt)

Report No: NA-221. Released: March 16, 1998. NOTICE OF ACCEPTANCE OF FM BROADCAST APPLICATIONS AND NOTIFICATION OF APRIL 16 PETITIONS TO DENY DEADLINE. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Radio\\_Cutoffs/pnmm8039.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm8039.txt)

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## TEXTS

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RULES AND POLICIES REGARDING CALLING NUMBER IDENTIFICATION SERVICE - CALLER ID. Stayed, on Commission's own motion, application of Section 64.1601(b) to manufacturers of private branch

exchange (PBX) equipment until the Commission addresses Siemens Business Communications Systems, Inc.'s petition for reconsideration of the Commission's Third Report and Order related to caller identification rules and their application to PBX systems. Dkt No.: CC- 91-281. Action by Chief, Network Services Division. Adopted: March 16, 1998. by MO&O. (DA No. 98-500). CCB Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/da980500.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980500.txt)

**\*\*1998 BIENNIAL REGULATORY REVIEW -- AMENDMENT OF SECTIONS 73.3612 AND 76.77 OF THE COMMISSION'S RULES CONCERNING FILING DATES FOR THE COMMISSION'S EQUAL EMPLOYMENT OPPORTUNITY ANNUAL EMPLOYMENT REPORTS.** Amended Sections 73.3612 and 76.77(a) of the Commission's Rules to require all annual employment reports to be filed with the Commission by September 30 of each year. Action by the Commission. Adopted: March 13, 1998. by MO&O. (FCC No. 98-39). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/fcc98039.pdf](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/fcc98039.pdf)

**ADDENDA: The following items, released March 13, 1998, did not appear in Digest No. 49:**

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### NEWS RELEASES

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FCC COMMISSIONER MICHAEL POWELL ADVISES INVESTMENT ANALYSTS TO LOOK FOR EVIDENCE OF REGULATORS PROMOTING INNOVATION AND COMPETITION. Powell Contact: Paul Jackson at (202) 418-2200. Internet URL:

[https://www.fcc.gov/Bureaus/Miscellaneous/News\\_Releases/1998/nrmc8024.html](https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1998/nrmc8024.html)

INTERNATIONAL ACTION - REPORT NO. IN 98-9 - FCC GRANTS LICENSE MODIFICATION FOR AMSC'S SATELLITE SYSTEM. FCC's International Bureau granted AMSC Subsidiary Corp. authority to change its space station facility and to operate the new facility temporarily at a different orbital location. News Media Contact: Rosemary Kimball (202) 418-0500. IB Contact: Fern Jarmulnek at (202) 418-0751. Internet URL: [https://www.fcc.gov/Bureaus/International/News\\_Releases/1998/nrin8008.txt](https://www.fcc.gov/Bureaus/International/News_Releases/1998/nrin8008.txt)

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### PUBLIC NOTICES

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Released: March 13, 1998. " FREMONT TELECOM CO. FILES PETITION FOR RECONSIDERATION OF ORDER DENYING A WAIVER OF SECTIONS 36.611 AND 36.612 OF THE COMMISSION'S RULES (AAD 97-56) .Comments due April 13; replies April 28. (DA No. 98-499). Contact: Andrew Mulitz, Chief, Legal Branch, Accounting and Audits Division at (202) 418-0850." Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1998/da980499.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1998/da980499.txt)

Report No: 1174. Released: March 13, 1998. CABLE TELEVISION SERVICE REGISTRATIONS; SPECIAL RELIEF AND OTHER FILINGS.

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### SPEECHES

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REMARKS BY WILLIAM E. KENNARD, CHAIRMAN, FCC, TO LEGG MASON "TELECOM INVESTMENT PRECURSORS" WORKSHOP, WASHINGTON, DC, MARCH 12, 1998. Internet URL:

<https://www.fcc.gov/Speeches/Kennard/spwek808.html>

""TECHNOLOGY AND REGULATORY THINKING - ALBERT EINSTEIN'S WARNING"" - SPEECH OF MICHAEL K. POWELL, COMMISSIONER, FCC, BEFORE THE LEGG MASON INVESTOR WORKSHOP, WASHINGTON, DC, MARCH 13, 1998. Internet URL: " <https://www.fcc.gov/Speeches/Powell/spmcp804.html>

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## TEXTS

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SOUTHWESTERN BELL TELEPHONE COMPANY. Denied Petition for Reconsideration filed by Southwestern Bell Telephone Company of the Commission's decision in the Southwestern Bell Telephone Company (SWBT) Tariff F.C.C. No. 73, Transmittal No. 2633 Order Concluding Investigation and Denying application for Review, CC Docket No. 97-158 released November 14, 1997, which rejected SWBT Transmittal No. 2633, which sought approval to respond to interstate access service customer requests for proposal with individualized contract offerings, as unreasonably discriminatory. Dkt No.: CC- 97-158. Action by the Commission. Adopted: March 13, 1998. by MO&O. (FCC No. 98-38). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/fcc98038.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/fcc98038.txt)

CASS COUNTY TELEPHONE COMPANY. Denied to the extent discussed and otherwise dismissed Cass County Telephone Company's petition requesting that the Commission grant it a waiver of Sections 36.612(a) or 36.631(d) of the Commission's rules to enable it to receive high cost loop support in 1997. Action by Chief, Accounting and Audits Division. Adopted: March 13, 1998. by Order. (DA No. 98-498). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/da980498.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980498.txt)

BEEHIVE TELEPHONE COMPANY, INC/ BEEHIVE TELEPHONE, INC. NEVADA. Designated issues for the investigation of Beehive Telephone Company, Inc.'s and Beehive Telephone, Inc. of Nevada's Transmittal No. 8, which proposed to revise its interstate access service rates in accordance with the Commission's Access Charge Reform Order, CC Docket No. 96-262; directed Beehive to file additional supporting documentation - Filing Schedule: Direct Case: April 3; Opposition or Comments: April 10; Rebuttal: April 14. Dkt No.: CC- 97-249. Action by Deputy Bureau Chief. Adopted: March 13, 1998. by Order. (DA No. 98-502). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/da980502.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980502.txt)

PROPOSED MODIFICATIONS TO ARMIS SERVICE QUALITY REPORTING REQUIREMENTS/PROPOSED MODIFICATIONS TO ARMIS 43-07 INFRASTRUCTURE REPORT. Extended deadline for filing comments to April 24 and filing reply comments to May 15 in matter regarding proposed modifications to various ARMIS reporting requirements. Action by Chief, Accounting and Audits Division. Adopted: March 13, 1998. by Order. (DA No. 98-501). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/da980501.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980501.txt)

\*\*IMPLEMENTATION OF SECTION 551 OF THE TELECOMMUNICATIONS ACT OF 1996. Found that the industry's establishment of voluntary rules for rating video programming is consistent with the requirements of Section 551(e)(1) and (2) of the Telecommunications Act of 1996. Dkt No.: CS- 97-55. Action by the Commission. Adopted: March 12, 1998. by R&O. (FCC No. 98-35). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/fcc98035.pdf>

ROSCOE, SD. Effective April 27, amended Section 73.202(b) of the Commission's rules, the Table of FM Allotments, to allot Channel 287A at Roscoe, South Dakota, as the community's first local aural transmission service; terminated proceeding. Dkt No.: MM- 97-176. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by R&O. (DA No. 98-471). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980471.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980471.txt)

GUYMON, OK. Effective April 27, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 258C1 to Guymon, Oklahoma, as the community's second local FM service; terminated proceeding. Dkt No.: MM- 97-238. Action by Chief, Allocations Branch, Policy and Rules Division,

Mass Media Bureau. Adopted: March 4, 1998. by R&O. (DA No. 98-472). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980472.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980472.txt)

"PRESHO, SD. Effective April 27, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 262A at Presho, South Dakota, as the community's first local aural transmission service; terminated proceeding . Dkt No.: MM- 97-175. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by R&O. (DA No. 98-473). MMB Internet URL: " [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980473.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980473.txt)

COCHESTER, IL. Effective April 27, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 244 A at Cochester, Illinois, as the community's second local FM transmission service; terminated proceeding. Dkt No.: MM- 97-218. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by R&O. (DA No. 98-474). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980474.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980474.txt)

RICHWOOD, WV. Proposed amending FM Table to allot Channel 288A at Richwood, West Virginia, as the community's first local FM transmission service. Comments due May 4; replies May 19. Dkt No.: MM- 98-33. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by NPRM. (DA No. 98-478). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1998/da980478.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/da980478.txt)

BUCKHANNON, WV. Proposed amending FM Table to allot Channel 238A at Buckhannon, West Virginia, as the community's third local commercial FM transmission service. Comments due May 4; replies May 19. Dkt No.: MM- 98-34. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by NPRM. (DA No. 98-479). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1998/da980479.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/da980479.txt)

PLATTSMOUTH AND PAPILLION, NE AND OSCEOLA, IA. Ordered Platte Broadcasting Company, licensee of Station KOTD-FM, Plattsmouth, Nebraska, to show cause why its license should not be modified to specify operation on Channel 299A as proposed, instead of the present Channel 295A. Comments due May 4. Dkt No.: MM- 96-95. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: March 4, 1998. by Order. (DA No. 98-489). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980489.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980489.txt)

**\*\*1998 BIENNIAL REGULATORY REVIEW -- REVIEW OF THE COMMISSION'S BROADCAST OWNERSHIP RULES AND OTHER RULES ADOPTED PURSUANT TO SECTION 202 OF THE TELECOMMUNICATIONS ACT OF 1996.** Issued Notice of Inquiry to solicit comments on issues pertinent to Commission's review of its broadcast ownership and other rules; comments due May 22; replies June 22. Dkt No.: MM- 98-35. Action by the Commission. Adopted: March 12, 1998. by NOI. (FCC No. 98-37). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1998/fcc98037.zip](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/fcc98037.zip)

**\*\*TECHNICAL REQUIREMENTS TO ENABLE BLOCKING OF VIDEO PROGRAMMING BASED ON PROGRAM RATINGS.** Amended Part 15 of Commission's rules to require that television signal receivers with picture screens 33 cm (13 inches) or greater be equipped with technological features to allow parents to block the display of violent, sexual, or other programming they believe is harmful to their children - implementation of Sections 551(c), (d), and (e) of the Telecommunications Act of 1996. Dkt No.: ET- 97-206. Action by the Commission. Adopted: March 12, 1998. by R&O. (FCC No. 98-36). OET Internet URL: [https://www.fcc.gov/Bureaus/Engineering\\_Technology/Orders/1998/fcc98036.html](https://www.fcc.gov/Bureaus/Engineering_Technology/Orders/1998/fcc98036.html)

ERRATUM - WESTLINK LICENSEE CORPORATION. Corrected Order in proceeding released on February 27, 1998, DA 98-332. Action by Acting Chief, Commercial Wireless Division. Adopted: March 13, 1998. by Erratum. WTB

MCELROY ELECTRONICS CORPORATION. Partially granted McElroy Electronics Corporation's Request for Extension of Time to complete construction of cellular Station KNKR320, Minneapolis-St. Paul (Market No.

0015-A2). Action by Acting Chief, Commercial Wireless Division. Adopted: March 13, 1998. by Order. (DA No. 98-503). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1998/da980503.txt>

**ADDENDA: The following items, released March 5, 1998, did not appear in Digest No. 43:**

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**TEXTS**

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WINGS COMMUNICATIONS, INC. RADIO STATION WELE(AM) ORMOND BEACH, FL. Affirmed that Wings Communications, Inc. is liable for a monetary forfeiture in the amount of \$2,000 for willfully and continuously failing to make required equipment performance measurements annually with no more than 14 months between measurements (Section 73.1590(a)(6) of the FCC rules). Action by Acting Director, Legal Services Group, Compliance Division. by Forfeiture Order. (DA No. 98-427). CIB Internet URL: <https://www.fcc.gov/Bureaus/Compliance/Orders/1998/da980427.txt>